

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2008-105918-001 DT

11/05/2008

HON. GARY E. DONAHOE

CLERK OF THE COURT
S. Yoder/J. Arnold
Deputy

STATE OF ARIZONA

ZACH MURPHY

v.

MARCUS LADALE DAMPER (001)

MONIQUE WILHITE

VICTIM SERVICES DIV-CA-CCC

TRIAL MINUTE ENTRY
DAY NINE

State's Attorney:	Zach Murphy
Defendant's Attorney:	Monique Wilhite
Defendant:	Present
Court Reporter:	Laura Ashbrook

10:34 a.m. Trial to jury continues from November 4, 2008.

The jury is present.

Closing arguments are presented.

11:58 a.m. Court stands at recess.

1:37 p.m. Court reconvenes with respective counsel and defendant present.

Court reporter, Laura Ashbrook, is present.

The jury is all present.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2008-105918-001 DT

11/05/2008

Closing arguments continue.

Court reads the Closing Instruction to the jury.

Jurors #7, 8 and 11 are designated by lot as the alternates.

1:56 p.m. The jury retires in charge of sworn bailiff to consider their verdicts.

The court instructs the alternates and the alternates leave subject to recall.

Court remains in session.

Defense counsel enters objections to State's closing argument and same is ruled upon.

2:07 p.m. Court stands at recess.

2:55 p.m. In chambers: Counsel are present via telephone conference call. Defendant is not present.

Court reporter, Laura Ashbrook, is present.

The jury has requested via the bailiff to remove the zip tie from the weapon which is exhibit 104 and test the magazine which is exhibit 105.

Matter is discussed.

Counsel stipulate to have a third-party, trained in weapons, present in the jury room during the jury's examination of exhibits 104 and 105.

3:06 p.m. Recess from chambers.

3:19 p.m. Court reconvenes in chambers. Defendant and counsel are not present.

Court reporter, Laura Ashbrook, is present.

Bailiff, Larry Martinez, is sworn to supervise the jury during the examination of exhibits 104 and 105.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2008-105918-001 DT

11/05/2008

LET THE RECORD REFLECT that upon review of the weapon, exhibit 104, the zip tie was no longer secure and discovered to be broken.

Exhibit 104 is opened by the court.

3:24 p.m. Court addresses the jury in the jury room. Defendant and counsel are not present. Court reporter, Laura Ashbrook, is present.

Bailiff, Larry Martinez, is present and will remain with the jury during their examination of the weapon.

Court and court reporter leave the jury room.

- - - -

3:35 p.m. Bailiff, Larry Martinez, leaves the jury room.

- - - -

4:44 p.m. The jury retires for the evening and will return on November 6, 2008 at 10:30 a.m. to resume deliberations.